

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JUSTIN KINNEY,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner of
14 Social Security,

15 Defendant.

CASE NO. C09-5499JRC

ORDER GRANTING
PLAINTIFF'S APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

16 Plaintiff's application to proceed *in forma pauperis* is **GRANTED**. Plaintiff does not
17 appear to have funds available to afford the \$350.00 filing fee.

18 The clerk is directed to issue summonses, after submission by plaintiff, to enable plaintiff
19 to properly serve copies of the complaint on the appropriate parties. Plaintiff shall note that it is
20 his responsibility to properly serve copies of the complaint along with appropriate summons as
21 required by Rule 4 of the Federal Rules of Civil Procedure.

22 Copies of the complaint along with the appropriate summonses must be filed on the
23 following three parties in social security administrative appeals: (1) the Commissioner of Social
24 Security, office of General Counsel for this region; (2) the U.S. Attorney General for the W.D. of
25 Washington; and (3) the Attorney General of the United States. Rule 4(m) of the Federal Rules
26

1 of Civil Procedure states, "If service of the summons and complaint is not made upon a
2 defendant within 120 days after the filing of the complaint, the court, upon motion or on its own
3 initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that
4 defendant or direct that service be effected within a specified time; provided that if the plaintiff
5 shows good cause for the failure, the court shall extend the time for service for an appropriate
6 period."
7

8 The clerk is further directed to send a copy of this order to plaintiff.

9 DATED this 26th day of August, 2009.

10
11 

12 J. Richard Creatura
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24
25
26